United Nations S/2004/446

Security Council

Distr.: General
3 June 2004

Original: English

Letter dated 28 May 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on Phase III of the Reconciliation Conference for Somalia, issued on 28 May 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-37470 (E) 040604

Annex to the letter dated 28 May 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on Phase III of the Reconciliation Conference for Somalia issued on 28 May 2004 by the Presidency on behalf of the European Union

The European Union welcomes the outcome of the Intergovernmental Authority on Development (IGAD) ministerial meeting in Nairobi on 21 and 22 May, which officially launched Phase III of the Reconciliation Conference for Somalia. It welcomes the ongoing commitment of IGAD member States to adopt a common approach based on political consensus.

The European Union stresses the importance of the main outcomes of the meeting and appeals to all parties involved to continue in their engagement with:

(a) A demonstrated commitment by all parties to moving Phase III of the process forward;

(b) The reaffirmation of the crucial importance of Somali ownership and consensus by all Somali clans on the principles and guidelines for the third and final phase of the Conference. An appropriate political framework including all leaders and relevant forces in Somalia is now a real possibility;

(c) Agreement reached on a timetable for the remainder of the Conference and on a list of MPs by the next IGAD ministerial meeting on 21 June. The timetable and the list should be final and absent leaders should not be permitted to hold the process hostage.

The European Union stands ready to continue to assist the Somalia National Reconciliation Conference in its efforts to reach an early and positive conclusion.

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Letter dated 28 May 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the Lupane by-elections in Zimbabwe, issued on 28 May 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-37437 (E) 040604

Annex to the letter dated 28 May 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the Lupane by-elections in Zimbabwe issued on 28 May 2004 by the Presidency on behalf of the European Union

The European Union condemns the intimidation and irregularities before and during the Lupane by-elections on 15 and 16 May 2004, which, together with continuing restrictions on freedom of association and on equal access to the media, meant that these elections cannot be judged free and fair.

The intimidation of voters and obstruction of campaigning by war veterans and youths, the registration of voters at polling stations by traditional leaders, the use of State apparatus in favour of the ruling party and the lack of access by the opposition to the voters' roll that had been amended until days before the election are just illustrations of an unacceptable electoral environment.

The European Union calls on the Government of Zimbabwe to allow every political party an equal level of political freedom. The European Union emphasizes the importance of creating an electoral environment conducive to free and fair elections — such as an independent electoral commission, equal access to the media, equal possibilities of holding political meetings — in line with the Southern African Development Community (SADC) Parliamentary Forum Norms and Standards for Elections in the SADC Region.

The European Union calls on all political parties to refrain from violence and intimidation before, during and after elections, and for the authorities to prevent violence, intimidation and irregularities.

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Letter dated 28 May 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement welcoming the decision of the United Nations Security Council on 21 May 2004 to establish a United Nations peacekeeping mission in Burundi (ONUB) and renewing the Union's call for intensified efforts to ensure a successful completion of the transition process in Burundi, issued on 28 May 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-37443 (E) 040604

Annex to the letter dated 28 May 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement welcoming the decision of the United Nations Security Council on 21 May 2004 to establish a United Nations peacekeeping mission in Burundi (ONUB) and renewing the Union's call for intensified efforts to ensure a successful completion of the transition process in Burundi by the Presidency on behalf of the European Union

The European Union welcomes United Nations Security Council resolution 1545 (2004) of 21 May 2004 and its decision to deploy a peacekeeping operation in Burundi (ONUB) in support of the efforts of the Burundian people to restore lasting peace and to bring about national reconciliation, as provided for under the Arusha Peace Agreement.

The European Union wishes the operation success in the execution of its mandate and it assures the United Nations of its support for this operation, reinforcing the prospects for peace and stability in the Great Lakes Region, in general, and in Burundi, in particular. It takes this opportunity to express its sincere appreciation for the efforts made by the Governments of South Africa, Mozambique and Ethiopia as well as by the African Union, through the African Mission in Burundi (AMIB), in assuring peace and stability during the past months of transition and preparing for this new phase in the Burundi peace process.

The European Union seizes this opportunity to welcome the efforts already made by so many in Burundi to make the transition work and urges all parties in the Burundi peace process to continue the dynamic of the Arusha Peace Agreement, to respect all subsequent agreements, to implement the required reforms, in particular within the security sector, and to prepare for elections in a spirit of serenity and mutual respect.

The European Union strongly supports the call of the United Nations for all parties to observe an immediate ceasefire and once more makes an urgent appeal to the Palipehutu-FNL to seize this opportunity for peace, to bring an end to armed opposition and to join the other parties in a negotiated settlement.

The European Union encourages the Regional Initiative, in particular the Governments of Uganda, the United Republic of Tanzania and South Africa, to continue their efforts to support the transition in Burundi and to bring an end to conflict in favour of an all-inclusive ceasefire and comprehensive peace agreement.

The European Union and its member States reassure all parties in the peace process of their continued close attention and they reiterate their support for the challenges confronting Burundi in the months to come, in particular as far as security sector reform, disarmament, demobilization and reintegration (DDR) and the election process are concerned. They, furthermore, reconfirm the commitments made at the Brussels Partner Forum in January 2004 to accompany Burundi in its project of reconstruction and economic and social development.

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Security Council

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General Assembly
Fifty-eighth session
Agenda item 24
Implementation of the resolutions of the United Nations

Security Council
Fifth-ninth year

Identical letters dated 2 June 2004 from the Permanent Representative of Jordan to the United Nations addressed to the President of the General Assembly and the President of the Security Council

With the agreement of the Inter-Parliamentary Union, I have the honour to transmit the statement made by the speakers of the parliaments of the neighbouring countries of Iraq at the meeting convened by the Inter-Parliamentary Union in Amman, Jordan, on 12 and 13 May 2004 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under the relevant agenda item, and of the Security Council.

(*Signed*) Zeid Ra'ad Zeid **Al-Hussein**
Ambassador
Permanent Representative

04-37449 (E) 040604

Annex to the identical letters dated 2 June 2004 from the Permanent Representative of Jordan to the United Nations addressed to the President of the General Assembly and the President of the Security Council

Statement made by the speakers of the parliaments of the neighbouring countries of Iraq at the meeting convened by the Inter-Parliamentary Union in Amman, Jordan, on 12 and 13 May 2004

1. We have met under the auspices of the Inter-Parliamentary Union – the world organisation of parliaments to which we all belong – to discuss efforts by the international community to restore sovereignty to the Iraqi people and bring stability to Iraq, and ways for the parliamentary community to provide support for the building of democratic institutions in that country.

2. In so doing, we are fulfilling the commitment we made at the first ever World Conference of Speakers of Parliament (2000) that our parliaments will contribute more substantively to international cooperation with a stronger United Nations at its core. We are also following up on resolutions on Iraq emerging from several recent IPU meetings and, in particular, on the resolution adopted unanimously at the IPU Conference in Santiago de Chile last year on *The need to put an urgent end to the war in Iraq and re-establish peace: The role of the United Nations and the Inter-Parliamentary Union.*

3. A year after the meeting in Santiago - which coincided with the war in Iraq - we remain extremely concerned by the continuing insecurity and the escalation of violence and political instability in that country. We are convinced of the urgent need to address the very precarious and complicated security situation throughout Iraq. We join the voices of many others in calling for respect for the rule of law, human rights and humanitarian law, and for an early, peaceful resolution of the crisis.

4. We are incensed at the cruel, inhuman and degrading treatment that has been meted out by members of the occupation forces to some of the Iraqis who have been detained by them. We condemn this flagrant violation of international humanitarian law and basic principles of humanity and call for those responsible to be brought to justice.

5. We express our sympathy with the people of Iraq who are enduring immense sufferings as a result of the continuing conflict that has resulted from the occupation. We call for sustained efforts by the international community to provide humanitarian and reconstruction assistance throughout the country on an equitable basis so as to alleviate and put an end to the sufferings of innocent Iraqi people. We reaffirm that Iraq's wealth should not be used, nor its natural resources depleted, to implement the reconstruction process.

6. We reaffirm that the people of Iraq must retain sole ownership over all their natural and cultural resources. We call upon the United Nations, working through its specialised agencies, the occupying powers and the international community at large jointly to ensure that the stolen cultural property of Iraq is returned to that country.

7. We confirm our support for all efforts to bring to justice all officials who are responsible for committing international crimes against the peoples of Iraq, Iran and Kuwait and especially the leadership of the former regime of Iraq, including Saddam Hussein.

8. We strongly urge all parties to ensure full respect for the rights of all components of Iraqi society - religious, ethnic and cultural. We also call for the full and equal participation of all Iraqis in the re-building of Iraq, with particular emphasis on the participation of women in all phases of re-construction and in building new political institutions for the country.

9. For centuries, Iraq has shared cultural, religious, ethnic, geographical and historical links with its neighbours. These very significant ties depend upon close cooperation, respect for bilateral commitments and amicable relations among those neighbours, in the common interest. In that same spirit, we reaffirm the necessity of removing from Iraqi territory those terrorist and armed groups that constitute a danger for the neighbouring countries, and we call upon the Iraqi authorities to extend their full cooperation to this effect.

10. We support the statement issued by the Fifth Conference of Ministers for Foreign Affairs of States neighbouring Iraq at its meeting in Kuwait on 14 and 15 February 2004. We underscore the importance of taking every step necessary to ensure full respect for basic principles of international law in Iraq, including respect for the sovereignty, independence, territorial integrity and unity of Iraq and non-interference in its internal affairs. It is for the Iraqi people – and the Iraqi people only – freely to determine their future. We underscore the importance for the Iraqi people to remain united and to make every effort to achieve a national consensus in building their future.

11. We stand by the agreed date of 30 June 2004 for bringing an end to the occupation of Iraq, even though it is clear that an elected government that is fully representative of the people of Iraq cannot be put in place by that deadline. In the event that the interim government of Iraq should need the assistance of a foreign military force for security purposes, this should be organized under a clear mandate from the United Nations Security Council.

12. We call for a broader and more central role for the United Nations in Iraq based on a clearly defined, realistic and achievable mandate from the United Nations Security Council focussing on facilitating the political transition in the country. We reaffirm our belief that the United Nations can make an essential and unique contribution towards re-establishing legitimacy in Iraq, promoting the rule of law and rebuilding effective State institutions in the country according to a permanent Constitution that is based on democratic principles. We underscore the need for the United Nations to be given adequate resources to carry out its mandate effectively and to be provided with the necessary security on the ground.

13. We welcome the resumption of United Nations activities in Iraq and, in particular, those of the Special Advisor to the United Nations Secretary-General and the United Nations Assistance Mission in Iraq (UNAMI). We concur with the recommendation submitted by the Special Advisor to the Security Council whereby the United Nations would assist the Iraqi people in putting in place a new Caretaker Government that would be composed of respected men and women of honesty, integrity and competence who are representative of Iraq's diversity and whose task would be to tend to the day-to-day administration of the country until an elected government can take over in early 2005. We recommend that the parliament elected on the same occasion prepare a permanent Constitution on the basis of which future elections will be organised.

14. Similarly, we underscore the need for a broad-based National Conference to be convened with the assistance of the United Nations, if possible in mid 2004, by an Iraqi Preparatory Committee comprised of a small number of reputable and distinguished Iraqis who are not seeking political office.

The National Conference should represent Iraq's political, professional, and civil society organisations, and religious, tribal and ethnic segments. Its members should be selected by these Iraqi constituencies. The National Conference should play a major role during the transition and should receive the support of the United Nations and the international community. It would engage in a dialogue on the country's challenges and seek to foster a national consensus on how best to address them. Moreover, it would establish a Consultative Council that would advise the Caretaker Government and act as a forum for dialogue on national reconciliation, confidence building and national unity.

15. We welcome the advice and assistance that the United Nations is currently providing to the Iraqi people on the electoral process that will need to be put in place in advance of the 2005 general elections. We believe that the well-established IPU Criteria on Free and Fair Elections can be useful to the Iraqi people in preparing the electoral process, and we urge the United Nations to make them available as part of its information campaign and other preparatory activities. The IPU stands ready to assist in civic education in relation to democracy and tolerance and provide support for free and fair elections under the overall supervision of the United Nations.

16. We are convinced that the Inter-Parliamentary Union, the Arab Inter-Parliamentary Union, the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly of the Organization of the Islamic Conference and the world parliamentary community can make a substantial and concrete contribution to the electoral process in Iraq and the subsequent establishment of democratic institutions in the following ways:

- Sharing their rich experience and lessons learned: Over the last 20 years, many parliaments and inter-parliamentary organisations have been involved in constitution-making processes all over the world. Many leading politicians from these countries who took part in those endeavours are members of parliament today and can share their personal and direct experience with Iraqi leaders, both in relation to the kind of process that was used in their countries, and with respect to the resolution of some fundamental issues.

- Providing constitutional advice: The IPU and a number of regional parliamentary assemblies and organizations have developed considerable expertise in building and strengthening representative institutions and can offer detailed and carefully researched comparative and analytical information regarding different parliamentary, presidential or mixed systems. They can also provide constitutional experts who have worked in similar processes elsewhere and can offer advice to the parliament elected in early 2005 that will also be assigned the task of preparing a new Constitution. In addition, the IPU has developed extensive experience in gender issues and, specifically, in matters relating to women's participation in public life.

- Assisting with the establishment and consolidation of State institutions such as a parliament: The IPU and many parliaments can help ensure that propitious conditions are put in place to enable the new parliament to function in an efficient and democratic manner. Invariably, parliaments need support in providing orientation for new members, capacity building for staff and advisory assistance regarding the working methods of the parliament, including the establishment of workable rules of procedure and in the organisation and equipment of library and research services, including the use of ICT. The IPU has extensive experience in providing new parliaments with hands-on assistance in these areas.

- Directly supporting the new Parliament of Iraq during its consideration of the draft Constitution: The IPU and several regional parliamentary bodies can provide concrete support to help build the capacity of this Parliament, through orientation programmes and training of staff who are called on to assist in the process.

- Harnessing parliamentary diplomacy and regional solidarity in the service of democratisation and regional stability: The Universal Declaration on Democracy, endorsed by the full IPU membership at its 98th Conference in Cairo (September 1997), lays the foundation (principles and guidelines) for a functioning democratic government. These principles have been the engine of change in many countries throughout the world, and we look forward to working with the legitimate, freely elected representatives of Iraq in support of this process.

17. We have earlier stated our commitment to the fundamental principle that the future of Iraq – including the choice of its institutions and national processes – has to be determined by the Iraqi people themselves. We therefore offer to work in support of the Iraqi people along the lines outlined above if that is their wish.

18. We look forward to the establishment of a new legitimate parliament in Iraq to engage within the region and beyond, and we resolve to enter into constructive dialogue and cooperation with that new body according to those principles of solidarity and negotiation that have inspired the Inter-Parliamentary Union for more than a century. We hope to be able to celebrate the return of this new parliament to the ranks of the Inter-Parliamentary Union in the near future.

19. We wish to place on record our profound gratitude to H.M. the King, the Government and the people of Jordan as well as the Speaker of the House of Representatives of Jordan for having hosted this first meeting of Speakers of Parliaments of the Countries Neighbouring Iraq. We resolve to remain in close contact and monitor the development of the situation in Iraq on a continuous basis and we ask the Inter-Parliamentary Union to convene future meetings as the need arises. We invite the President of the Inter-Parliamentary Union to inform the Iraqi people and authorities, and the United Nations Secretary-General, of the outcome of this meeting. Finally, we ask the Government of Jordan to ensure that this statement is circulated as an official document of the United Nations Security Council.

13 May 2004, Amman, Jordan